

AGENDA MEMO

REDEVELOPMENT AGENCY MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: BUSINESS DEVELOPMENT

ITEM DESCRIPTION: DISCUSSION AND POSSIBLE ACTION TO ACCEPT BEST AND FINAL OFFER (BAFO) FROM CITYMARK DEVELOPMENT LLC (CITYMARK), SUBJECT TO CITYMARK ENTERING INTO AN EXCLUSIVE NEGOTIATION AGREEMENT (ENA) AND APPROVE TERMS OF, AS WELL AS AUTHORIZE THE CHAIRMAN TO EXECUTE SAID ENA FOR THE SITE LOCATED AT LAS VEGAS BOULEVARD AND CLARK AVENUE

1. The site at Las Vegas Blvd. and Clark Ave. falls within the Office Core District, as defined in the Las Vegas Downtown Centennial Plan (the Plan). Also, per the Plan, the site is on a designated primary pedestrian corridor (Las Vegas Blvd.) and an area designated for street level Retail/Commercial uses (Las Vegas Blvd., Clark Ave. and 6th St. frontages).
2. The Plan also states that the intention and goal of the City is to encourage the following types of development within the Office Core District: a. New class A professional office development; b. A rich variety of retail and commercial storefronts; c. Restaurants and cafes; d. Mixed-use; and, e. Residential development.
3. Accordingly, staff recommends that the Redevelopment Agency Board accept the staff review committee's recommendation to accept the Best And Final Offer (BAFO) dated August 30, 2006, from CityMark Development LLC (Developer), subject to Developer entering into an Exclusive Negotiation Agreement (ENA) and approve terms of, as well as authorize the Chairman to execute said ENA to address the following conditions:
 - a. Developer to rework ground floor of project to include an urban grocery store as requested in the RFP.
 - b. Developer to redesign overall project to:
 - i. Reduce building costs using less expensive building materials and/or structural design; and,
 - ii. Reconfigure mix and/or increase number of for-sale residential units in order to reduce sales prices for attainable residential units.
4. Terms of the proposed ENA:
 - a. Term - 6 months with automatic extension for additional 6 months.
 - b. Deposit - \$50,000
 - c. Active Collaboration – Redevelopment Agency and Developer will actively collaborate during term of ENA to find mutually acceptable resolutions to the conditions for acceptance of the BAFO.
 - d. Disposition and Development Agreement (DDA) – Redevelopment Agency and Developer will negotiate DDA terms upon mutual resolution of conditions to acceptance of the BAFO during the term of the ENA.
5. Upon mutually acceptable resolutions of the conditions to acceptance of the BAFO and terms of a DDA, staff will bring forward said DDA to the Redevelopment Agency Board for consideration and possible approval.